

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

STEVE FREEDMAN,

Plaintiff,

v.

CAROLYN W. COLVIN,  
Acting Commissioner of Social  
Security,

Defendant.

No. 1:16-CV-03033-RHW

**ORDER GRANTING MOTIONS  
FOR REMAND**

Before the Court are two motions to remand. On November 28, 2016, the Commissioner filed a Motion to Remand that acknowledged error occurred in the lower proceedings and requested the Court to use its discretion to determine whether Mr. Freedman was disabled or to remand for further proceedings. ECF No. 20. On November 29, 2016, the parties filed a Stipulated Motion for Remand and jointly move the Court to remand for further administrative proceedings. ECF No. 21.

Based on the agreement of the parties and the record, the Court finds good cause to grant both motions. Accordingly, the Commissioner's decision to deny Plaintiff's application for disability benefits is REVERSED and REMANDED for

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1 further proceedings including a de novo hearing pursuant to sentence four of 42  
2 U.S.C. § 405(g). Upon remand, the administrative law judge shall: (1) further  
3 develop the record; (2) reevaluate and weight the medical opinions of record and  
4 resolve any conflicts among the opinions, with reference to specific evidence of  
5 record; (3) reevaluate Mr. Freedman's allegations regarding symptoms and  
6 limitations; (4) reassess the residual functional capacity; (5) obtain supplemental  
7 vocational expert evidence; and (6) obtain a consultative examination or medical  
8 expert testimony to address Mr. Freedman's impairments and limitations.

9 Accordingly, **IT IS HEREBY ORDERED:**

10 1. Defendant's Motion for Remand, **ECF No. 20**, is **GRANTED**.

11 2. The Stipulated Motion for Remand, **ECF No. 21**, is **GRANTED**.

12 3. The Commissioner's decision is **REVERSED** and this matter is  
13 **REMANDED** for further administrative proceedings consistent with this order.

14 4. Reasonable attorney fees shall be awarded under the Equal Access to  
15 Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

16 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
17 Order, forward copies to counsel, and **close the file**.

18 **DATED** this 2nd day of December, 2016.

19  
20 s/Robert H. Whaley  
21 ROBERT H. WHALEY  
22 Senior United States District Judge  
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